

## **REMARKS**

The Examiner rejected claims 1-30 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over U.S. Patent No. 6,436,106. Applicant does not agree that this doctrine applies here, but has filed a terminal disclaimer to overcome these rejections and expedite issuance of the patent.

The Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney if a telephone call could help resolve any remaining items.

No fee is believed to be due for this amendment. Should any fee be required, please charge it and any other fee that may be required or appropriate in connection with this submission to Deposit Account No. 16-1150.

Respectfully submitted,

Date: February 23, 2004

38,70

(Reg. No.)

**JONES DAY** 

Kenneth L. Stein

222 East 41st Street

New York, New York 10017-6702

(212) 790-9090